

# EXHIBIT M



*Corporate Affairs Department*

DATE: July 3, 2001

LYNN MARMER  
GROUP VICE PRESIDENT  
CORPORATE AFFAIRS

TO: All Division Presidents  
All Manufacturing Plant Managers  
All G.O. Department Heads

RE: Press Release

Attached is a press release we issued this morning regarding Kroger's endorsement of the Food Marketing Institute's new program on animal welfare.

*Gary*  
Gary Rhodes

cc: Senior Management

Attachment

DEFENDANTS'  
EXHIBIT  
CaseNo.2:08-md-2002 DAP

**D-0346**



From: Corporate Affairs Department  
The Kroger Co.  
1014 Vine Street  
Cincinnati, Ohio 45202-1100

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**KROGER ENDORSES FOOD MARKETING INSTITUTE'S PROGRAM  
ADDRESSING ANIMAL WELFARE**

CINCINNATI, OH, July 3, 2001 – The Kroger Co. (NYSE: KR) today endorsed the Food Marketing Institute's new program addressing animal welfare.

Under the new program, FMI is working cooperatively with producers, processors and independent animal welfare experts to promote "best practices" that will ensure animals are treated humanely at every step of the production process. FMI is working with advisors who include national experts in animal husbandry, veterinary medicine and agricultural production "to obtain objective, measurable indices of desirable practices in the growing, handling and processing of animals in food production."

Kroger and other members of FMI have been working together to develop the trade group's program.

"Kroger is proud to support FMI's industry-leading animal welfare program," said Lynn Marmer, Kroger group vice president of corporate affairs. "Animal welfare is an important issue to our Company, our customers and our associates. We believe this collaborative approach, which brings together processors, producers, retailers and animal welfare experts, will raise the standards in the meat and poultry industries. Much more can be accomplished when retailers talk to suppliers in a coordinated manner. The animal welfare experts recruited by FMI are well-respected national leaders in their fields and we

are excited about having them participate in this initiative. Working together, we can ensure that animals are raised, transported and processed in a humane matter."

Headquartered in Cincinnati, Ohio, Kroger is the nation's largest retail grocery chain. At the end of the first quarter, the Company operated 2,380 supermarkets and multi-department stores in 32 states under approximately two dozen banners, including Kroger, Fred Meyer, Ralphs, Smith's, King Soopers, Dillon, Fry's, City Market, Food 4 Less and Quality Food Centers. Kroger also operates 788 convenience stores, 407 fine jewelry stores and 41 food processing plants.

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